

EXHIBIT 1

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

JOHNATHON KEMP,

Plaintiff,

vs.

JOE ABBOTT, VAUGHAN
TRANSPORTATION, INC., AND
RESER'S FINE FOODS, INC.,

Defendants,

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§
§
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§
§

CIVIL ACTION NO.

INDEX OF ALL MATTERS FILED

1. Index of All Matters Filed
2. Plaintiff Johnathon Kemp's Original Petition and Return of Service on Defendant Reser's Fine Foods, Inc.
3. Defendants Vaughan Transportation, Inc. and Reser's Fine Foods, Inc.'s Original Answer
4. Plaintiff's First Amended Petition
5. Plaintiff's Second Amended Petition and Return of Service on Defendant Joe Abbott
6. State Court Docket Sheet
7. List of All Counsel of Record

EXHIBIT 2



**Service of Process
Transmittal**

02/13/2015

CT Log Number 526574611

TO: Paul Leavy
Reser's Fine Foods, Inc.
15570 SW Jenkins Rd
Beaverton, OR 97006-6099

RE: Process Served in Texas

FOR: Reser's Fine Foods, Inc. (Domestic State: OR)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: Johnathon Kemp, Pltf. vs. Joe Abbott, et al. including Reser's Fine Foods, Inc., Dfts.
DOCUMENT(S) SERVED: Citation, Original Petition
COURT/AGENCY: 165th Judicial District Court, Harris County, TX
Case # 201505922
NATURE OF ACTION: Personal Injury - Vehicle Collision - February 13, 2013
ON WHOM PROCESS WAS SERVED: C T Corporation System, Dallas, TX
DATE AND HOUR OF SERVICE: By Certified Mail on 02/13/2015 postmarked: "Not Post Marked"
JURISDICTION SERVED : Texas
APPEARANCE OR ANSWER DUE: By 10:00 a.m. on the Monday next following the expiration of 20 days
ATTORNEY(S) / SENDER(S): Loren G. Klitsas
Klitsas & Vercher, P.C.
550 Westcott Street
Suite 570
Houston, TX 77007
713-862-1365
ACTION ITEMS: SOP Papers with Transmittal, via Fed Ex 2 Day , 780209804382
Email Notification, Paul Leavy Paul@Resers.com
Email Notification, Chimene Gowen ChimeneG@Resers.com
SIGNED:
ADDRESS: C T Corporation System
1999 Bryan Street
Suite 900
Dallas, TX 75201
TELEPHONE: 214-932-3601

W.F. McCurry
24555 Bentwood
Hockley, TEXAS 77447

RETURN RECEIPT
REQUESTED

REGISTERED MAIL[®]



7011 1570 וחתימה בקבוצה



1000

75201

U.S. POSTAGE
PAID
HOUSTON, TX
77201
FEB 09, 15
AMOUNT

\$7.19

00112802-23

RESER'S FINE FOODS, INC.
C.T. CORPORATION SYSTEM
1999 BRYAN ST. #900
DALLAS, TEXAS 75201-3131



02-09-2015

RECEIPT NUMBER 0.00
TRACKING NUMBER 73100412 ATY

CAUSE NUMBER 201505922

PLAINTIFF: KEMP, JOHNATHON
vs.
DEFENDANT: ABBOTT, JOEIn The 165th
Judicial District Court of
Harris County, Texas

CITATION CORPORATE

THE STATE OF TEXAS
County of HarrisTO: RESER'S FINE FOODS INC (A FOREIGN CORPORATION) BY SERVING THROUGH
ITS REGISTERED AGENT CT CORPORATION SYSTEM
1999 BRYAN ST SUITE 900 DALLAS TX 752013136

Attached is a copy of PLAINTIFF'S ORIGINAL PETITION

This instrument was filed on the 3rd day of February, 20 15, in the
above cited cause number and court. The instrument attached describes the claim against you.YOU HAVE BEEN SUED; you may employ an attorney. If you or your attorney do not file a written answer with the
District Clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of 20 days after you were
served this citation and petition, a default judgment may be taken against you.

TO OFFICER SERVING:

This Citation was issued under my hand and seal of said Court, at Houston, Texas, this 4th day of
February, 20 15.Issued at request of:
KLITSAS, LOREN GEORGE
550 WESTCOTT, STE 570
HOUSTON, TX 77007
Tel: (713) 862-1365
Bar Number: 786025Chris Daniel
CHRIS DANIEL, District Clerk
Harris County, Texas
201 Caroline, Houston, Texas 77002
P.O. Box 4651, Houston, Texas 77210

Generated by: PEREZ, ANITA 10J//10021634

OFFICER/AUTHORIZED PERSON RETURN

I received this citation on the _____ day of _____, 20____, at _____ o'clock ____ M., endorsed
the date of delivery thereon, and executed it at _____
(street address) (city)
in _____ County, Texas on the _____ day of _____, 20____, at _____ o'clock ____ M.,
by delivering to _____, by delivering to its
(the defendant corporation named in citation)_____, in person, whose name is _____
(registered agent, president, or vice-president)a true copy of this citation, with a copy of the _____ Petition attached,
(description of petition, e.g., "Plaintiff's Original")and with accompanying copies of _____
(additional documents, if any, delivered with the petition)

I certify that the facts stated in this return are true by my signature below on the _____ day of _____, 20____.

FEE: \$ _____

By: _____
(signature of officer)

Printed Name: _____

As Deputy for: _____
(printed name & title of sheriff or constable)

Affiant Other Than Officer

On this day, _____, known to me to be the person whose signature
appears on the foregoing return, personally appeared. After being by me duly sworn, he/she stated that this citation was
executed by him/her in the exact manner recited on the return.

SWORN TO AND SUBSCRIBED BEFORE ME, on this _____ day of _____, 20____

Notary Public

NINT.CITCP

[REDACTED]

2/3/2015 3:12:34 PM
Chris Daniel - District Clerk Harris County
Envelope No. 4005034
By: Shanelle Taylor
Filed: 2/3/2015 3:12:34 PM

2015-05922 / Court: 165

CAUSE NO: _____

JOHNATHON KEMP	§	IN THE DISTRICT COURT OF
	§	
VS	§	HARRIS COUNTY, TEXAS
	§	
JOE ABBOTT, VAUGHAN	§	
TRANSPORTATION, INC. AND	§	
RESER'S FINE FOODS, INC.	§	_____ JUDICIAL DISTRICT

PLAINTIFF'S ORIGINAL PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

COME NOW Johnathon Kemp, Plaintiff, complaining of Joe Abbott, Reser's Fine Foods, Inc. and Vaughan Transportation, Inc., Defendants, and for cause of action would respectfully show the following:

I. LEVEL

Discovery is intended to be conducted under Level 2 of the Texas Rules of Civil Procedure 190. Plaintiff affirmatively pleads that it seeks only monetary relief in excess of \$50,000, excluding costs, pre-judgment interest, and attorney's fees.

II. PARTIES

Plaintiff Johnathon Kemp is a resident of Houston, Harris County, Texas.

Defendant Joe Abbott is an individual residing in Moore, Oklahoma, and may be served through at his residential address of 908 Kingscourt Moore, Oklahoma 73160, or where ever he may be located.

Defendant Reser's Fine Foods, Inc. is a foreign corporation licensed to do business within the state of Texas. Defendant may be served through its registered agent, CT Corporation System, 1999 Bryan St., Suite 900, Dallas, Texas 75201-3136.

Vaughan Transportation, Inc. is a foreign corporation licensed to do business within the state of Texas. Defendant may be served through its registered agent, CT Corporation System, 1999 Bryan St., Suite 900, Dallas, Texas 75201-3136.

III. VENUE

Venue is proper in Harris County, Texas, as this is the county in which the cause of action occurred.

IV. FACTS

On or about February 13, 2013, Plaintiff Jonathon Kemp was driving southbound on Interstate 45 through Houston. Traffic came to a stop and Mr. Kemp stopped his vehicle. Defendant Joe Abbott failed to control his speed and rear-ended Mr. Kemp pushing him into the car in front of him. At the time of the accident, Mr. Abbott, was operating a freightliner owned by Defendant Vaughan Transportation, Inc. while in the course and scope of his employment with Defendant, Reser's Fine Foods, Inc. Johnathon Kemp sustained severe bodily injuries.

V. NEGLIGENCE & GROSS NEGLIGENCE

The occurrence made the basis of this suit and the resulting injuries and damages were proximately caused by the negligence and/or gross negligence of the Defendants, Joe Abbott, Reser's Fine Foods, Inc. and Vaughan Transportation, Inc., for a variety of acts and omissions, including but not limited to one or more of the following:

1. In failing to apply the brakes of said vehicle in time to avoid the aforesaid collision;
2. In operating said vehicle in a careless and reckless manner;
3. In failing to keep a proper lookout;
4. In failing to keep said vehicle under reasonable and proper control;
5. In failing to pay full time and attention;

6. In failing to yield the right of way;
7. In failing to obey the statutes of the State of Texas as they pertain to the operation of a motor vehicle;
8. In hiring an unqualified driver to operate their vehicles;
9. In not maintaining a viable trucking safety program to supervise and/or train drivers; and
10. General Negligence.

Each and all of the above acts and/or omissions were negligence and/or gross negligence and each and all were a proximate cause of the following made the basis of this suit and the injuries and damages suffered by the Plaintiff herein.

VI. DAMAGES

As a result of the occurrence in question, Plaintiff sustained serious personal injuries, mental anguish, physical pain and suffering, medical expenses in the past and future, impairment and disability in the past. It is believed that Plaintiff will also suffer legally recoverable damages in the future. The Plaintiff will respectfully request the Court and Jury to determine the amount of loss the Plaintiff has incurred and will incur in the future not only from a financial standpoint but also in terms of good health and freedom from pain and worry. There are certain elements of damages provided by law that the Plaintiff is entitled to have the Jury in this case consider separately to determine the sum of money for each element that will fairly and reasonably compensate the Plaintiff for the injuries, damages and losses incurred from the date of the accident in question until the time of trial of this case, those elements of damages are as follows:

1. The physical pain that the Plaintiff has suffered from the date of the occurrence in question up to the time of trial;
2. The mental anguish that the Plaintiff has suffered from the date of the occurrence in question up to the time of trial;

3. The amount of reasonable medical expenses necessarily incurred in the treatment of the Plaintiff's injuries from the date of the accident in question up to the time of trial; and
4. The physical impairment which Plaintiff has suffered from the date of the occurrence in question up to the time of trial.

Further, the following are elements of damages to be considered separately which Plaintiff will sustain in the future beyond the trial that are determined by a preponderance of the evidence upon trial of this cause:

1. The physical pain that the Plaintiff will suffer in the future beyond the time of trial;
2. The mental anguish that the Plaintiff will suffer in the future beyond the time of trial;
3. The reasonable value of medical expenses that will necessarily be incurred in the treatment of the Plaintiff's injuries in the future beyond the time of trial;
4. The physical impairment which the Plaintiff will suffer in the future beyond the time of trial; and
5. The reasonable value of the damage to Plaintiff's vehicle in the future beyond the time of trial.

Plaintiff seeks all legally recoverable damages, including exemplary damages and pre-judgment and post-judgment interest. Plaintiff Johnathon Kemp seeks monetary relief of over a million.

VIII. JURY TRIAL

Plaintiff demands a trial by jury.

WHEREFORE, PREMISES CONSIDERED, Plaintiff prays that the Defendants, Joe Abbott, Reser's Fine Foods, Inc. and Vaughan Transportation, Inc., be cited in terms of law to appear and answer herein; that upon final trial hereof, the Plaintiff have judgment against the

Defendants for all damages, legally recoverable pre-judgment and post-judgment interest, all costs of court, and any other further relief to which Plaintiff may show himself justly entitled.

Respectfully submitted,

KLITSAS & VERCHER, P.C.

By: 

Loren G. Klitsas
State Bar No.: 00786025
550 Westcott Street, Suite 570
Houston, Texas 77007
Telephone: (713) 862-1365
Facsimile: (713) 862-1465
klitsas@kv-law.com

ATTORNEYS FOR PLAINTIFF

EXHIBIT 3

CAUSE NO. 2015-05922

JOHNATHON KEMP,	§	IN THE DISTRICT COURT OF
	§	
Plaintiff,	§	
	§	
v.	§	
	§	HARRIS COUNTY, TEXAS
JOE ABBOTT, VAUGHAN	§	
TRANSPORTATION, INC., AND	§	
RESER'S FINE FOODS, INC.,	§	
	§	
Defendants.	§	165 TH JUDICIAL DISTRICT

**DEFENDANTS VAUGHAN TRANSPORTATION, INC.,
AND RESER'S FINE FOODS, INC.'s ORIGINAL ANSWER**

Defendants VAUGHAN TRANSPORTATION, INC., AND RESER'S FINE FOODS, INC. ("Defendants") files their Original Answer to Plaintiff Johnathon Kemp's ("Plaintiff") Original Petition, and would respectfully show the Court as follows:

**I.
GENERAL DENIAL**

1. Subject to such stipulations and admissions as may be made hereafter, Defendants hereby enter a general denial as permitted by Rule 92 of the Texas Rules of Civil Procedure, and requests that Plaintiff be required to prove by a preponderance of the evidence the charges and allegations that he has made against Defendants.

**II.
DEFENSES**

2. Further answering, alternatively, and by way of affirmative defense, Defendants will show that the incident in question and Plaintiff's alleged resulting damages, if any, were the result of negligent acts and/or omissions of Plaintiff, whose acts or omissions were, alternatively, a proximate cause or a producing cause or a contributing proximate cause or a contributing

producing cause or the sole proximate cause or the sole producing cause of the incident in question and any alleged damages stemming therefrom. Defendants therefore invoke the doctrine of comparative negligence and causation as a reduction or complete bar to any recovery by Plaintiff.

3. Upon information and belief, Plaintiff's alleged damages and losses were directly and proximately caused by the intervening, superseding acts and conduct of Plaintiff, over whom Defendants had no control. These acts constituted a new and independent cause of Plaintiff's alleged injuries or damages. The acts and omissions of others were a complete and total proximate cause of all Plaintiff's injuries and resulting damages. Accordingly, Defendants hereby plead the doctrine of efficient intervening proximate cause as a complete bar to any recovery against Defendants.

4. Defendants hereby assert all rights arising pursuant to the proportional responsibility and contribution statutes, including offset due to Plaintiff's responsibility, contributions from other parties found responsible, and credit for any settlements made in this action.

5. Pleading further, alternatively, and by way of affirmative defense, Defendants would show that, in the unlikely event that any liability be found on the part of Defendants, such liability be reduced by the percentage of causation found to have resulted from the negligence of others, parties and non-parties to this suit in the manner prescribed by Texas Civil Practice and Remedies Code and Common Law. Defendants are entitled to the submission of the following for consideration of proportionate responsibility (1) Plaintiff and (2) Defendants and any designated responsible third party, third party, additional defendant or settling party.

6. On information and belief, Plaintiff's alleged injuries, damages or losses were directly and proximately caused by the intervening, superseding acts and conduct of Plaintiff and/or others over whom Defendants had no control, including other defendants. These acts constituted a new and independent cause of Plaintiff's alleged injuries or damages. The acts and omissions of others were a complete and total proximate cause of all Plaintiff's injuries and resulting damages. Accordingly, Defendants plead the doctrine of efficient intervening proximate cause as a complete bar to any recovery against Defendants.

7. Plaintiff's damages, if any, were caused in whole or in part by the acts or omissions of third persons and/or entities outside of Defendants' control.

8. Defendants hereby assert all rights arising pursuant to the proportional responsibility and contributions statutes, including offset due to Plaintiff's responsibility, contributions from other parties found responsible, other responsible third parties and settling parties and is entitled to credit for any settlements made in this action.

9. Plaintiff's damages, if any, are the result in whole or in part of Plaintiff's failure to mitigate damages.

10. Plaintiff's damages, if any, are the result in whole or in part of Plaintiff's pre-existing conditions or subsequent conditions or events.

11. The Plaintiff's medical bills were discounted pursuant to a contract and/or agreement between the healthcare providers, the Plaintiff's workers compensation carrier, or the Plaintiff's medical insurance provider/carrier and the Plaintiff and/or her lawyers; therefore, Plaintiff's recovery for medical expenses should be limited to what is actually paid and/or incurred on behalf of the Plaintiff pursuant to Texas Civil Practice & Remedies Code, Chapter 41.0105. Alternatively, Defendants are entitled to a credit against any medical expense damage award for

amounts not charged to or actually incurred by the Plaintiff, amounts written off or discounted, or in an amount equal to the difference between the total charges and the sum that was paid and accepted as payment in full or which will be paid and accepted as payment in full as the evidence may show.

12. Defendants would assert that the Court should instruct the jury as to whether any recoveries sought by the Plaintiff are subject to federal or state income taxes.

13. Pleading further and in the strict alternative, Defendants would show that the Plaintiff must comply with Texas Civil Practice and Remedies Code §18.091, which requires the Plaintiff who seeks loss of earnings and loss of earning capacity, to provide evidence in the form of a net loss after reduction for income tax payments or unpaid tax liability pursuant to federal income tax law.

14. Defendants have asserted these defenses in its answer in order to preserve its right to assert the affirmative defenses and to give Plaintiff notice of Defendants' intention to assert these defenses and avoid waiver. Defendants hereby reserve the right to add additional affirmative defenses, as they may become known to it during the course of discovery.

III. **AUTHENTICATION**

15. Pursuant to Texas Rule of Civil Procedure 193.7, Defendants hereby serve notice that a Plaintiff's or Co-Defendant's production of a document in response to written discovery authenticates the document for use against that party in any pretrial proceeding or at trial.

IV.
REQUEST FOR DISCLOSURE

16. Pursuant to Rule 194 of the TEXAS RULES OF CIVIL PROCEDURE, Defendants request that you disclose the information and materials described in Rule 194.2 (a)-(l) within thirty (30) days of the service of this request.

V.
DEMAND FOR JURY

17. Defendant would show that Defendants request this case be transferred to the Court's active jury docket. A jury fee will be paid with the filing of Defendants' answer.

WHEREFORE, PREMISES CONSIDERED, Defendants VAUGHAN TRANSPORTATION, INC., AND RESER'S FINE FOODS, INC. pray that, upon final hearing of this cause, the Court will enter judgment that Plaintiff JOHNATHON KEMP takes nothing of and from Defendants VAUGHAN TRANSPORTATION, INC., AND RESER'S FINE FOODS, INC., assess costs against Plaintiff JOHNATHON KEMP, and award Defendants VAUGHAN TRANSPORTATION, INC., AND RESER'S FINE FOODS, INC. all other and further relief, both general and special, legal or equitable, to which Defendants VAUGHAN TRANSPORTATION, INC., AND RESER'S FINE FOODS, INC. may be justly entitled.

Respectfully Submitted,



KURT W. MEADERS
State Bar No. 13879900
RONALD M. RAYDON
State Bar No. 00798456

MEADERS & LANAGAN
2001 Bryan Street, Suite 3350
Dallas, TX 75201-3068
Telephone: (214) 721-6210
Facsimile: (214) 721-6289
Email: Efiling@meaderslaw.com

ATTORNEYS FOR DEFENDANTS
VAUGHAN TRANSPORTATION, INC.,
AND RESER'S FINE FOODS, INC.

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the above and foregoing document has been served upon all known counsel of records on the 8th day of May, 2015, as indicated below in accordance with the TEXAS RULES OF CIVIL PROCEDURE:

Loren G. Klitsas
KLITSAS & VERCHER, P.C.
550 Westcott Street, Suite 570
Houston, Texas 77007

Via E-service and E-mail
llitsas@kv-law.com



KURT W. MEADERS

EXHIBIT 4

Klitsas & Vercher, P.C.

Attorneys at Law

550 Westcott, Suite 570

Houston, Texas 77007

(713) 862-1365

Fax: (713) 862-1465

FACSIMILE TRANSMISSION COVER SHEET

Date: June 18, 2015

To: Ronald M. Raydon
Meaders & Lanagan
(214) 721-6289

Re: Johnathon Kemp vs. Joe Abbott, Vaughan Transportation, Inc. and Reser's Fine Foods, Inc

Sender: Loren G. Klitsas

YOU SHOULD RECEIVE -7- PAGES, INCLUDING THIS COVER SHEET. IF YOU DO NOT RECEIVE ALL THE PAGES, PLEASE CALL (713) 862-1365.

CONFIDENTIALITY NOTICE

Unless otherwise indicated, the information contained in this facsimile message is attorney privileged and confidential information intended for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify the sender by telephone and return the original message to Klitsas, & Vercher, P.C., at the above address by regular mail at our expense. Thank you.

CAUSE NO: 2015-05922

JOHNATHON KEMP	§	IN THE DISTRICT COURT OF
	§	
VS	§	
	§	HARRIS COUNTY, TEXAS
JOE ABBOTT, VAUGHAN	§	
TRANSPORTATION, INC. AND	§	
RESER'S FINE FOODS, INC.	§	165 TH JUDICIAL DISTRICT

PLAINTIFF'S FIRST AMENDED PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

COME NOW Johnathon Kemp, Plaintiff, complaining of Joe Abbott, Reser's Fine Foods, Inc. and Vaughan Transportation, Inc., Defendants, and for cause of action would respectfully show the following:

I. LEVEL

Discovery is intended to be conducted under Level 2 of the Texas Rules of Civil Procedure 190. Plaintiff affirmatively pleads that it seeks monetary relief in excess of \$50,000, excluding costs, pre-judgment interest, and attorney's fees.

II. PARTIES

Plaintiff Johnathon Kemp is a resident of Houston, Harris County, Texas.

Defendant Joe Abbott, an Individual who is a resident of Oklahoma and a nonresident of Texas, engaged in business in this state, but does not maintain a regular place of business or a designated agent for service of process. This lawsuit arises out of the business done in this state and to which said Defendant is a party, as defined by Section 17.042 of the Texas Civil Practices and Remedies Code. Therefore, under Section 17.044 of the Texas Civil Practice and Remedies Code, substituted service on Defendant should be made by serving the Secretary of State of Texas, Statutory Documents Section, Citations Unit, P.O. Box 12079, Austin, Texas 78711-2079, and forwarded to Defendant's home or home office at 908 Kings Court, Moore, Oklahoma

73160 or wherever he may be found. Service of said Defendant as described above can be effected by certified mail, return receipt requested.

Defendant Reser's Fine Foods, Inc. has made an appearance in this lawsuit.

Vaughan Transportation, Inc. has made an appearance in this lawsuit.

III. VENUE

Venue is proper in Harris County, Texas, as this is the county in which the cause of action occurred.

IV. FACTS

On or about February 13, 2013, Plaintiff Jonathon Kemp was driving southbound on Interstate 45 through Houston. Traffic came to a stop and Mr. Kemp stopped his vehicle. Defendant Joe Abbott failed to control his speed and rear-ended Mr. Kemp pushing him into the car in front of him. At the time of the accident, Mr. Abbott, was operating a freightliner owned by Defendant Vaughan Transportation, Inc. while in the course and scope of his employment with Defendant, Reser's Fine Foods, Inc. Johnathon Kemp sustained severe bodily injuries.

V. NEGLIGENCE & GROSS NEGLIGENCE

The occurrence made the basis of this suit and the resulting injuries and damages were proximately caused by the negligence and/or gross negligence of the Defendants, Joe Abbott, Reser's Fine Foods, Inc. and Vaughan Transportation, Inc., for a variety of acts and omissions, including but not limited to one or more of the following:

1. In failing to apply the brakes of said vehicle in time to avoid the aforesaid collision;
2. In operating said vehicle in a careless and reckless manner;
3. In failing to keep a proper lookout;
4. In failing to keep said vehicle under reasonable and proper control;

5. In failing to pay full time and attention;
6. In failing to yield the right of way;
7. In failing to obey the statutes of the State of Texas as they pertain to the operation of a motor vehicle;
8. In hiring an unqualified driver to operate their vehicles;
9. In not maintaining a viable trucking safety program to supervise and/or train drivers; and
10. General Negligence.

Each and all of the above acts and/or omissions were negligence and/or gross negligence and each and all were a proximate cause of the following made the basis of this suit and the injuries and damages suffered by the Plaintiff herein.

VI. DAMAGES

As a result of the occurrence in question, Plaintiff sustained serious personal injuries, mental anguish, physical pain and suffering, medical expenses in the past and future, impairment and disability in the past. It is believed that Plaintiff will also suffer legally recoverable damages in the future. The Plaintiff will respectfully request the Court and Jury to determine the amount of loss the Plaintiff has incurred and will incur in the future not only from a financial standpoint but also in terms of good health and freedom from pain and worry. There are certain elements of damages provided by law that the Plaintiff is entitled to have the Jury in this case consider separately to determine the sum of money for each element that will fairly and reasonably compensate the Plaintiff for the injuries, damages and losses incurred from the date of the accident in question until the time of trial of this case, those elements of damages are as follows:

1. The physical pain that the Plaintiff has suffered from the date of the occurrence in question up to the time of trial;
2. The mental anguish that the Plaintiff has suffered from the date of the occurrence in question up to the time of trial;

3. The amount of reasonable medical expenses necessarily incurred in the treatment of the Plaintiff's injuries from the date of the accident in question up to the time of trial; and
4. The physical impairment which Plaintiff has suffered from the date of the occurrence in question up to the time of trial.

Further, the following are elements of damages to be considered separately which Plaintiff will sustain in the future beyond the trial that are determined by a preponderance of the evidence upon trial of this cause:

1. The physical pain that the Plaintiff will suffer in the future beyond the time of trial;
2. The mental anguish that the Plaintiff will suffer in the future beyond the time of trial;
3. The reasonable value of medical expenses that will necessarily be incurred in the treatment of the Plaintiff's injuries in the future beyond the time of trial;
4. The physical impairment which the Plaintiff will suffer in the future beyond the time of trial; and
5. The reasonable value of the damage to Plaintiff's vehicle in the future beyond the time of trial.

Plaintiff seeks all legally recoverable damages, including exemplary damages and pre-judgment and post-judgment interest. Plaintiff Johnathon Kemp seeks monetary relief of over \$1,000,000.

VIII. JURY TRIAL

Plaintiff demands a trial by jury.

WHEREFORE, PREMISES CONSIDERED, Plaintiff prays that the Defendants, Joe Abbott, Reser's Fine Foods, Inc. and Vaughan Transportation, Inc., be cited in terms of law to appear and answer herein; that upon final trial hereof, the Plaintiff have judgment against the

Defendants for all damages, legally recoverable pre-judgment and post-judgment interest, all costs of court, and any other further relief to which Plaintiff may show himself justly entitled.

Respectfully submitted,

KLITSAS & VERCHER, P.C.

By: 

Loren G. Klitsas
State Bar No.: 00786025
Jared W. Capps
State Bar No.: 24085236
550 Westcott Street, Suite 570
Houston, Texas 77007
Telephone: (713) 862-1365
Facsimile: (713) 862-1465
klitsas@kv-law.com
capps@kv-law.com

ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

That on this the 11th day of June, 2015, I hereby certify that a true and correct copy of the above and foregoing instrument has been forwarded to Defendant, by hand delivery, certified mail, return receipt requested and/or facsimile to:

Ronald M. Raydon
Paul M. Lanagan
Meaders & Lanagan
2001 Bryan Street, Suite 3350
Dallas, Texas 75201


Loren G. Klitsas

CIVIL PROCESS REQUEST FORM

FOR EACH PARTY SERVED YOU MUST FURNISH ONE (1) COPY OF THE PLEADING
FOR WRITS FURNISH TWO (2) COPIES OF THE PLEADING PER PARTY TO BE SERVED

CASE NUMBER: _____ CURRENT COURT: _____

TYPE OF INSTRUMENT TO BE SERVED (See Reverse For Types): PLAINTIFF'S FIRST AMENDED PETITION

FILE DATE OF MOTION: _____
Month/ Day/ Year

SERVICE TO BE ISSUED ON (Please List Exactly As The Name Appears In The Pleading To Be Served):

1. NAME: JOE ABBOTT

ADDRESS: Statutory Document Citations Unit, PO Box, Austin, Texas 78711-2079

AGENT, (if applicable): Secretary of State

TYPE OF SERVICE/PROCESS TO BE ISSUED (see reverse for specific type): Citation

SERVICE BY (check one):

- ☐ ATTORNEY PICK-UP ☐ CONSTABLE
☐ CIVIL PROCESS SERVER - Authorized Person to Pick-up: _____ Phone: _____
☐ MAIL ☐ CERTIFIED MAIL
☐ PUBLICATION:
 Type of Publication: ☐ COURTHOUSE DOOR, or
☐ NEWSPAPER OF YOUR CHOICE: _____

☒ OTHER, explain PLEASE MAIL THE CITATION BACK TO KLITSAS & VERCHER, PC

2. NAME: N/A

ADDRESS:

AGENT, (if applicable):

TYPE OF SERVICE/PROCESS TO BE ISSUED (see reverse for specific type): Citation

SERVICE BY (check one):

- ☐ ATTORNEY PICK-UP ☐ CONSTABLE
☐ CIVIL PROCESS SERVER - Authorized Person to Pick-up: _____ Phone: _____
☐ MAIL ☐ CERTIFIED MAIL
☐ PUBLICATION:
 Type of Publication: ☐ COURTHOUSE DOOR, or
☐ NEWSPAPER OF YOUR CHOICE: _____
☐ OTHER, explain _____

ATTORNEY (OR ATTORNEY'S AGENT) REQUESTING SERVICE:

NAME: LOREN G. KLITSAS

TEXAS BAR NO./ID NO. 00786025

MAILING ADDRESS: 550 WESTCOTT ST., SUITE 570, HOUSTON, TEXAS 77007

PHONE NUMBER: 713- 862-1365

FAX NUMBER: 713 862-1465

EMAIL ADDRESS: beason@kv-law.com

SERVICE REQUESTS WHICH CANNOT BE PROCESSED BY THIS OFFICE WILL BE HELD FOR 30 DAYS PRIOR TO CANCELLATION. FEES WILL BE REFUNDED ONLY UPON REQUEST, OR AT THE DISPOSITION OF THE CASE. SERVICE REQUESTS MAY BE REINSTATED UPON APPROPRIATE ACTION BY THE PARTIES.

EXHIBIT 5

CAUSE NO. 201505922

RECEIPT NO.

0.00

ATY

TR # 73324343

PLAINTIFF: KEMP, JOHNATHON

vs.

DEFENDANT: ABBOTT, JOE

In The 165th
Judicial District Court
of Harris County, Texas
165TH DISTRICT COURT
Houston, TX

CITATION (NON-RESIDENT)

THE STATE OF TEXAS
County of Harris

TO: ABBOTT, JOE

908 KINGSCOURT MOORE OK 73160

Attached is a copy of PLAINTIFFS' SECOND AMENDED PETITION AND DOCKET CONTROL ORDER

This instrument was filed on the 4th day of October, 2016, in the above cited cause number and court. The instrument attached describes the claim against you.

YOU HAVE BEEN SUED, You may employ an attorney. If you or your attorney do not file a written answer with the District Clerk who issued this citation by 10:00 a.m on the Monday next following the expiration of 20 days after you were served this citation and petition, a default judgment may be taken against you.

TO OFFICER SERVING:

This citation was issued on 27th day of December, 2016, under my hand and seal of said Court.



Chris Daniel

CHRIS DANIEL, District Clerk
Harris County, Texas
201 Caroline, Houston, Texas 77002
(P.O. Box 4651, Houston, Texas 77210)

Issued at request of:

FRANZONI, FRED
25329 BUDDE ROAD, SUITE 704
WOODLANDS, TX 77380
Tel: (281) 660-3811
Bar No.: 24055502

Generated By: SOLIS, ADILIANI A. 4BH//10570511

STATE OF _____

OFFICER/AUTHORIZED PERSON RETURN

County of _____

PERSONALLY APPEARED before me, the undersigned authority, _____, who being by me duly sworn, deposes and says that in the County of _____ State of _____ he delivered to the within named defendants in person at the following times and places to wit:

NAME	DATE			TIME		PLACE
	MONTH	DAY	YEAR	HOUR	MIN	
	12	28	16	10	00	

a true copy of this notice, with a copy of:

accompanying same; and further, that he is an adult and is in no manner interested in this suit and is the person competent to make oath of the fact.

[Signature]
Affiant/Deputy

On this day, _____, known to me to be the person whose signature appears on the foregoing return, personally appeared. After being by me duly sworn, he/she stated that this citation was executed by him/her in the exact manner recited on the return.

SWORN TO AND SUBSCRIBED BEFORE ME, on this _____ day of _____, _____.

Notary Public

10/4/2016 12:36:15 PM
Chris Daniel - District Clerk Harris County
Envelope No. 13049659
By: BEVERLY CHEVALIER
Filed: 10/4/2016 12:36:15 PM

CAUSE NO. 2015-05922

JOHNATHON KEMP AND AMANDA KEMP, PLAINTIFF(S)	§	IN THE DISTRICT COURT OF
	§	
	§	
VS.	§	HARRIS COUNTY, TEXAS
	§	
JOE ABBOTT, RESER'S FINE FOODS, INC., AND VAUGHAN TRANSPORTAION, INC., DEFENDANT(S)	§	
	§	165 TH JUDICIAL DISTRICT

PLAINTIFFS' SECOND AMENDED PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

COME NOW Jonathon Kemp and Amanda Kemp, Plaintiffs, complaining of Joe Abbott, Reser's Fine Foods, Inc. and Vaughan Transportation, Inc., Defendants, and would respectfully show this court the following:

I. Level

Discovery is intended to be conducted under Level 2 of Texas Rule of Civil Procedure 190. Plaintiff affirmatively pleads that it seeks only monetary relief in excess of \$50,000, excluding costs, pre-judgment interests, and attorney's fees.

II. Parties

Plaintiff, Jonathon Kemp, is a resident of Houston, Harris County, Texas.

Plaintiff, Amanda Kemp, is a resident of Houston. Harris County. Texas.

Defendant, Joe Abbott, is an individual residing in Moore, Oklahoma, and may be served through at his residential address of 908 Kingscourt, Moore, Oklahoma, 73160, or where ever he may be located. This lawsuit arises out of business done in this state and to witch the Defendant is a party, as defined by section 17.042 of the Texas Civil Practices and Remedies. Therefore,

substituted service on the Defendant maybe performed through the Secretary of State of Texas as provided under the guidelines of the Texas Practice and Remedies Code.

Defendant Reser's Fine Foods, Inc. is a foreign corporation licensed to do business within the state of Texas. Defendant has made an appearance in this case, and if necessary may be served through its attorney of record as provided under TRCP 21(a).

Vaughan Transportation, Inc. is a foreign corporation licensed to do business within the state of Texas. Defendant has made an appearance in this case, and if necessary may be served through its attorney of record as provided under TRCP 21(a).

III. Venue

Venue is proper in Harris County, Texas, as this is the county in which the cause of action occurred.

IV. Facts

On or about February 13, 2013, Jonathon Kemp was driving southbound on Interstate 45 through Houston. Traffic came to a stop and Mr. Kemp stopped his vehicle. Defendant Joe Abbott failed to control his speed and rear-ended Mr. Kemp pushing him into the car in front of him. At the time of the accident, Mr. Abbott, was operating a freightliner owned by Defendant Vaughan Transportation, Inc. while in the course and scope of his employment with Defendant, Reser's Fine Foods, Inc. Jonathon Kemp sustained severe bodily injuries.

V. Johnathon Kemp's Causes of Action on Negligence and Gross Negligence

The occurrence made the basis of this suit and the resulting injuries and damages were proximately caused by the negligence and/or gross negligence of the Defendants, Joe Abbott, Reser's Fine Foods, Inc. and Vaughan Transportation, Inc., for a variety of acts and omissions, including but not limited to one or more of the following:

1. In failing to apply breaks of said vehicle in time to avoid the aforesaid collision;
2. In operation said vehicle in a careless and reckless manner;
3. In failing to keep proper lookout;
4. In failing to keep said vehicle under reasonable and proper control;
5. In failing to pay full time and attention;
6. In failing to yield the right of way;
7. In failing to obey statutes of the State of Texas as they pertain to the operation of a motor vehicle;
8. In hiring an unqualified driver to operate their vehicle;
9. In not maintaining a viable trucking safety program to supervise and/or train drivers;
and
10. General Negligence

Each and all of the above acts and/or omissions were negligence and/or gross negligence and each and all were a proximate cause of the following made the basis of this suit and the injuries and damages suffered by the Plaintiffs herein.

VI. Amanda Kemp Cause of Action for Loss of Consortium and Household Services

Plaintiff, Amanda Kemp, incorporates all prior paragraphs and would show that she has also incurred damages as a result of Defendants' negligence and/or gross negligence. Amanda Kemp will show that she is the wife of Plaintiff, Johnathan Kemp, and makes an ancillary claim for the loss of consortium and house hold services in the past and for the future.

VII. Damages

As a result of the occurrence in question, Plaintiffs sustained serious personal injuries, mental anguish, physical pain and suffering, medical expenses in the past and the future, impairment and disability in the past, and the loss of consortium and household services. It is believed that Plaintiffs will also suffer legally recoverable damages in the future. The Plaintiffs will respectfully request the Court and the Jury to determine the amount of loss the Plaintiffs have incurred and will incur in the future not only from a financial standpoint but also in terms of good health and freedom from pain and worry. There are certain elements of damages provided by law that the Plaintiffs are entitled to have the Jury on this case consider separately to determine the sum of money for each element that will fairly and reasonably compensate the Plaintiffs for the injuries, damages and losses incurred from the date of the accident in question until the time of trial of this case, those elements of damages are as follows:

1. The physical pain suffered from the date of the occurrence in question up to the time of trial;
2. The mental anguish suffered from the date of the occurrence in question up to the time of trial;
3. The amount of reasonable medical expenses necessarily incurred in the treatment of Johnathan Kemp's injuries from the date of the occurrence in question up to the time of trial;
4. The physical impairment which Johnathan Kemp has suffered from the date of the occurrence in question up to the time of trial;
5. All property damages incurred up to the time of trial; and
6. The loss of consortium, loss of household services, and loss of societal counsel.

Further, the following are elements of damages to be considered separately which Plaintiffs will sustain in the future beyond the trial that are determined by a preponderance of the evidence upon trial of this cause:

1. The physical pain that Johnathan Kemp will suffer in the future beyond the time of trial;
2. The mental anguish that Johnathan Kemp will suffer in the future beyond the time of trial;
3. The reasonable value medical expenses that will necessarily be incurred in the treatment of the Johnathan Kemp's injuries in the future beyond the time of trial;
4. The physical impairment which Johnathan Kemp will suffer in the future beyond the time of trial; and
5. The loss of consortium, household services, and counsel in the future beyond the time of trial.

Plaintiffs damages and injuries resulted from Defendants' gross negligence, malice, or actual fraud, which entitles Plaintiffs to exemplary damages under Texas Civil Practice & Remedies Code section 41.003(a).

Plaintiffs seek all legally recoverable damages, including exemplary damages and pre-judgment and post-judgment interest. Plaintiffs seek monetary relief of over a \$1,000,000.00.

VIII. Jury Trial

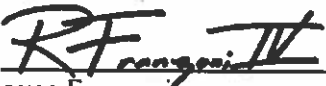
Plaintiffs demand a trial by jury and the appropriate fee has been tendered to the court.

IX. Prayer

WHEREFORE, PREMISES CONSIDERED, Plaintiffs pray that the Defendants, Joe Abbott, Reser's Fine Foods, Inc. and Vaughan Transportation, Inc., be cited in terms of law to appear and answer herein; that upon final trial hereof, the Plaintiff have judgment against the Defendants of all damages, legally recoverable pre-judgement and post-judgement interest, all costs of court, and any further relief to which Plaintiffs may show they are justly entitled.

Respectfully submitted,

FRANZONI LAW, PLLC

By: 
F. Royce Franzoni
Federal ID No. 808515
State Bar No. 24055502
25329 Budde Road, Suite 704
The Woodlands, Texas 77380
Tel: (281) 459-0701
Fax: (888) 861-1304
Attorney for Plaintiffs

Certificate of Service

I, the undersigned, herby certify that I am a member of Franzoni and Nelson, PLLC, and that a true and correct copy of the foregoing document was served on counsel of record or party as required by Texas Rules of Civil Procedure as provided below.


F. Royce Franzoni

VIA FAX

Ronald M. Raydon
State Bar No. 007989900
efiling@meaderslaw.com
2001 Bryan Street, Suite 3350
Dallas, TX 3350
Tel: (214) 721-6210
Fax: (214) 721-6289
Attorney for Defendant(s)

EXHIBIT 6

HCDistrictclerk.com

KEMP, JOHNATHON vs. ABBOTT, JOE

12/26/2016

Cause: 201505922

CDI: 7

Court: 165

APPEALS

No Appeals found.

COST STATMENTS

No Cost Statments found.

TRANSFERS

No Transfers found.

POST TRIAL WRITS

No Post Trial Writs found.

ABSTRACTS

No Abstracts found.

NOTICES

No Notices found.

SUMMARY**CASE DETAILS**

File Date	2/3/2015
Case (Cause) Location	Civil Intake 1st Floor
Case (Cause) Status	Ready Docket
Case (Cause) Type	PERSONAL INJ (NON-AUTO)
Next/Last Setting Date	2/6/2017
Jury Fee Paid Date	5/20/2015

COURT DETAILS

Court	165th
Address	201 CAROLINE (Floor: 12) HOUSTON, TX 77002 Phone:7133686270
JudgeName	DEBRA IBARRA MAYFIELD
Court Type	Civil

ACTIVE PARTIES

Name	Type	Post Jdgm	Attorney
KEMP, JOHNATHON	PLAINTIFF - CIVIL		FRANZONI, FRED
ABBOTT, JOE	DEFENDANT - CIVIL		
RESER'S FINE FOODS INC	DEFENDANT - CIVIL		MEADERS, KURT WOOD
VAUGHAN TRANSPORTATION INC	DEFENDANT - CIVIL		MEADERS, KURT WOOD
RESER'S FINE FOODS INC (A FOREIGN CORPORATION) BY SERVING THROUGH 1999 BRYAN ST SUITE 900, DALLAS, TX 75201-3136	REGISTERED AGENT		
VAUGHAN TRANSPORTATION INC (A FOREIGN CORPORATION) BY SERVING THROUGH 1999 BRYAN ST SUITE 900, DALLAS, TX 75201-3136	REGISTERED AGENT		
ABBOTT, JOE BY SERVING THE SECRETARY OF	REGISTERED AGENT		

STATE OF TEXAS STATUTORY

INACTIVE PARTIES

No inactive parties found.

JUDGMENT/EVENTS

Date	Description	Order Signed	Post Jdgm	Pgs Volume /Page	Filing Attorney	Person Filing
10/4/2016	SECOND AMENDED ORIGINAL PETITION			0	FRANZONI, FRED	KEMP, JOHNATHON
6/15/2016	ORDER SIGNED RESETTING TRIAL	6/15/2016		2		
6/15/2016	ORDER SIGNED GRANTING TRIAL CONTINUANCE	6/15/2016		2		
5/5/2016	ORDER SIGNED SUBSTITUTING ATTORNEY OF RECORD	5/5/2016		1		
2/15/2016	ORDER SIGNED RESETTING TRIAL	2/15/2016		2		
2/15/2016	ORDER SIGNED GRANTING TRIAL CONTINUANCE	2/15/2016		2		
6/17/2015	FIRST AMENDED ORIGINAL PETITION			0	KLITSAS, LOREN GEORGE	KEMP, JOHNATHON
6/12/2015	DESIGNATED TRIAL READY			0		
5/20/2015	JURY FEE PAID (TRCP 216)			0		
5/8/2015	JURY DEMAND MADE (TRCP 216)			0		
5/8/2015	ANSWER			0	MEADERS, KURT WOOD	VAUGHAN TRANSPORTATION INC
5/8/2015	ANSWER			0	MEADERS, KURT WOOD	RESER'S FINE FOODS INC
3/20/2015	ORDER GRANTING SUBSTITUTED SERVICE SIGNED	3/20/2015		4		
2/3/2015	JURY FEE PAID (TRCP 216)			0		
2/3/2015	ORIGINAL PETITION			0	KLITSAS, LOREN GEORGE	KEMP, JOHNATHON

SETTINGS

Date	Court Post Jdgm	Docket Type	Reason	Results	Comments	Requesting Party
5/05/2016 09:30 AM	165	Law Day Docket	SUBSTITUTE ATTORNEYS - MOTION TO	Granted	ORDER SIGNED	FRANZONI, FRED ROYCE
5/30/2016 09:00 AM	165	Trial Setting	Trial on Merits	Re-Set	CONT GRANTED	
8/08/2016 09:00 AM	165	Trial Setting	Trial on Merits	Re-Set	CONT GRANTED PER ORDER	
2/06/2017 09:00 AM	165	Trial Setting	Trial on Merits			

SERVICES

Type	Status	Instrument	Person	Requested	Issued	Served	Returned	Received	Tracking	Deliver
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CITATION CORPORATE	SERVICE ISSUED/IN POSSESSION OF SERVING AGENCY	ORIGINAL PETITION	RESER'S FINE FOODS INC (A FOREIGN CORPORATION) BY SERVING THROUGH	2/3/2015	2/4/2015	73100412	To ATTORNEY PICK-UP
1999 BRYAN ST SUITE 900 DALLAS TX 75201							
1999 BRYAN ST SUITE 900 DALLAS TX 75201							
CITATION CORPORATE	SERVICE ISSUED/IN POSSESSION OF SERVING AGENCY	ORIGINAL PETITION	VAUGHAN TRANSPORTATION INC (A FOREIGN CORPORATION) BY SERVING THROUGH	2/3/2015	2/4/2015	73100414	ATTORNEY PICK-UP
1999 BRYAN ST SUITE 900 DALLAS TX 75201							
1999 BRYAN ST SUITE 900 DALLAS TX 75201							
CITATION (NON- RESIDENT)	SERVICE ISSUED/IN POSSESSION OF SERVING AGENCY	ORIGINAL PETITION	ABBOTT, JOE	2/3/2015	2/4/2015	73100420	ATTORNEY PICK-UP
908 KINGSCOURT MOORE OK 73160							
CITATION (SECRETARY OF STATE NON- RESIDENT)	SERVICE ASSIGNED TO CLERK/NOT ISSUED	AMENDED ORIGINAL PETITION	ABBOTT, JOE BY SERVING THE SECRETARY OF STATE OF TEXAS STATUTORY	6/17/2015		73141709	MAIL TO ATTORNEY
908 KINGS COURT MOORE OK 73160							
908 KINGS COURT MOORE OK 73160							
CITATION (SECRETARY OF STATE NON- RESIDENT)	SERVICE ISSUED/IN POSSESSION OF SERVING AGENCY	AMENDED ORIGINAL PETITION	ABBOTT, JOE BY SERVING THE SECRETARY OF STATE OF TEXAS STATUTORY	6/17/2015	6/18/2015	73141717	MAIL TO ATTORNEY
908 KINGS COURT MOORE OK 73160							

DOCUMENTS

Number	Document	Post Date Jdgm	Pgs
73173908	Notice of Filing Affidavits	12/20/2016	2
-> 73173909	Exhibit A	12/20/2016	62
72839447	Defendants Vaughan Transportation, Inc., and Reser's Fine Foods, Inc. Notice of De- Designation of Expert Witness Debra Medina, R.N.	11/22/2016	3
72164831	plaintiffs second amended petition	10/04/2016	6
71451235	Regarding Deposition by Written Questions	08/12/2016	1
70762948	Regarding Deposition by Written Questions	06/21/2016	1
70762949	Regarding Deposition by Written Questions	06/21/2016	1
70688105	DOCKET CONTROL ORDER	06/17/2016	2
70645384	ORDER SIGNED GRANTING TRIAL CONTINUANCE	06/15/2016	2
	ORDER SIGNED RESETTING TRIAL	06/15/2016	
70610241	Agreed Motion for Continuance	06/13/2016	3
-> 70610242	Proposed Order Granting Agreed Motion for Continuance	06/13/2016	2
70116911	ORDER SIGNED SUBSTITUTING ATTORNEY OF RECORD	05/05/2016	1
70188111	Defendant Vaughan Transportation INC. and Reser's Fine Foods, INC. Designation of Expert Witnesses and Supplementation of All Requests for Disclosures	05/05/2016	5

-> 70188112	Curriculum Vitae	05/05/2016	9
69909216	plaintiff johnatnon kemps motion to substitute attorney in charge	04/21/2016	3
-> 69909217	Proposed Order	04/21/2016	1
69909218	Notice of Hearing on plaintiff's motion to substitute attorney	04/21/2016	2
69719011	deposition by written questions	04/07/2016	1
69365319	Reporter's Certification Videotaped Deposition of Lindsay king January 14 2016	03/11/2016	4
69316982	Regarding deposition by written questions	03/09/2016	1
69068567	DOCKET CONTROL ORDER	02/19/2016	2
69001080	ORDER SIGNED GRANTING TRIAL CONTINUANCE	02/15/2016	2
	ORDER SIGNED RESETTING TRIAL	02/15/2016	
68919230	Kemp - Agreed Motion for Continuance	02/09/2016	3
-> 68919231	Proposed Order Granting Motion for Continuance	02/09/2016	2
68612052	reporters certification deposition of of johnathon kemp august 10 2015	01/19/2016	3
66810483	Reporter's Certificate oral videotaped deposition of Bryan Kraut	08/28/2015	5
66714393	Plaintiff Designation of Expert Witnesses	08/20/2015	10
65880387	Letter to Clerk	06/18/2015	1
65862750	Plaintiffs First Amended Petition	06/17/2015	5
65862751	Civil Request Form	06/17/2015	1
65955093	Docket Control Order/Standing Order Requiring Electronic Filing/Court's ADR Policies	06/12/2015	4
65501582	defendants vaughan transportation, inc. and resers fine foods inc jury demand	05/20/2015	2
65350654	DEFENDANTS VAUGHAN TRANSPORTATION, INC., AND RESER'S FINE FOODS, INC.'s ORIGINAL ANSWER	05/08/2015	6
64740465	ORDER GRANTING SUBSTITUTED SERVICE SIGNED	03/20/2015	4
64612388	Motion for Substituted Service of Process	03/13/2015	2
-> 64612389	Affidavit of Process Server	03/13/2015	1
-> 64612390	proposed Order for Motion for Substituted Service	03/13/2015	1
64124316	Civil Process Pick-Up Form	02/04/2015	1
64089601	Plaintiff Original Petition	02/03/2015	5
-> 64089602	Civil Case Information Sheet	02/03/2015	2
-> 64089603	Civil Process Request	02/03/2015	2

EXHIBIT 7

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

JOHNATHON KEMP,

Plaintiff,

vs.

JOE ABBOTT, VAUGHAN
TRANSPORTATION, INC., AND
RESER'S FINE FOODS, INC.,

Defendants,

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§

CIVIL ACTION NO.

LIST OF ALL COUNSEL OF RECORD

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State Bar No. 24055502
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JOHNATHON KEMP

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State Bar No. 00798456
PAUL M. LANAGAN
State Bar No. 24065584
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ATTORNEYS FOR DEFENDANTS
JOE ABBOTT, VAUGHAN TRANSPORTATION, INC.,
AND RESER'S FINE FOODS, INC.